IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SIXTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MR JUSTICE A.GOPAL REDDY**

**WRIT PETITION NO: 16614 of 2004**

Between:

Kocherla Raja Rao S/o. K.L.Marianna Naidu
Nagarampalem, Guntur.

**... PETITIONER**

AND

1 The Govt. of India, Ministry of Railways Railway Board, New Delhi.
2 The General Manager (Law) South Central Railway, Secunderabad.
3 The Divisional Railway Manager (Personnel) South Central Railway,

Vijayawada.

**...RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction or writ more particularly one in the nature of writ of mandamus declaring the action of the respondents herein in not paying the petitioner's legal fee bills for the services rendered to the respondent railways in the capacity of Railways Standing Counsel at Labour Court, Guntur as illegal, arbitrary and against Boards Fee Rules Dt.18-1-1995 and consequently direct the respondents herein to pay the petitioner's legal fee bills to each case independently for the services rendered to the respondent railways in the capacity of the Railways Standing Counsel at Labour Court, Guntur.

**Counsel for the Petitioner: MR.T.BHEEMSEN & T.V.PRANAI KUMAR**

**Counsel for the Respondents: MR.G.S.SANGHI**

The Court at the admission stage made the following:

**ORDER:**

In view of the dicta laid down by the Apex Court in ***New India Assurance Co. Ltd. Vs. A.K. Saxena*** , Writ Petitions for payment of Advocate fees cannot be entertained. If the petitioner is entitled to any fees from the Ministry of Railways, it is always open for him to move the competent Court for recovery of the same in accordance with law.

2. The Writ Petition is devoid of merit and it is accordingly dismissed. No costs.

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A. **GOPAL REDDY, J**

September 16, 2004

**MRR**

ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To:

1 The Govt. of India, Ministry of Railways Railway Board, New Delhi.
2 The General Manager (Law) South Central Railway, Secunderabad.
3 The Divisional Railway Manager (Personnel) South Central Railway,

Vijayawada.